

Remarks/Arguments:

The above listing of claims cancels claim 41 and amends claim 6 consistent with numbered paragraphs 1 and 2 of the Office Action dated July 2, 2003. Claim 11 is amended to correct a potential confusing antecedent basis. It is stipulated that the open term 'comprising' in claim 11 allows the claim to be satisfied where at least one of several user stations satisfies the claim limitations. Claims 1-40 and 42-49 are pending in the present application.

In the cited Office Action, the Examiner has rejected claims 1-6, 10-11, 13-20, 24-34, 28-45, and 49 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,167,383 to Henson (hereinafter, Henson). The Examiner has further rejected claims 7-9, 21-23, 35-37, and 46-48 under 35 U.S.C. § 103(a) as being obvious over Henson in view of U.S. Patent No. 6,288,719 B1 to Squilla et al. (hereinafter, Squilla).

The independent claims consist of claims 1, 11, 13, 14, 29 and 39. Of these, the system claims 1, 11, 13, and 14 recite, in relevant part, "said user station comprising ...a manufacturing subsystem ... for manufacturing, at said user station, at least one component of said consumer product...". The independent method claims 29 and 39 recite, in relevant parts, "each of the user stations comprising ...a manufacturing subsystem" and "manufacturing at said manufacturing subsystem at least one component of the consumer product...". Each and every pending claim therefore recites that the user station comprises a manufacturing subsystem that manufactures at least one component of a consumer product. The written description thoroughly describes the manufacturing subsystem at page 7, line 14 through page 9, line 6. Figure 1 clearly depicts the manufacturing subsystem 18F as a portion of the user station 18, and not remotely located and coupled to a user accessible computer terminal through the Internet as in Henson. The application recites at page 2, line 5: "In general, the teachings of this invention pertain to a user station that gives consumers the ability to modify and customize the external appearance of a product *that is manufactured at the user station.*" (emphasis added).

The Office Action asserts that Henson anticipates the above claim language at col. 6, lines 18-21: "Turning now to FIG. 3 (3A, 3B and 3C), from a system configuration options screen 70, a customer of the online store 10 can build a customer configured machine by selecting from options listed on the configurator screen 70." Each of FIGs 3A-3C illustrates a computer graphical interface. Applicant respectfully asserts that the above citation does not refer to the actual building of the computer machine, but clearly indicates only the virtual selection of options by the customer on the virtual online store that is the subject of the Henson invention. Such is consistent with the cited text, the whole teaching of the Henson reference, and also with the business model of Dell Computer Corporation, of which the assignee of the Henson patent is a subsidiary. For an example of online ordering of customized computers, see www.dell.com. For a description of Dell Computer Corporation's build-to-order business model, see www.dell.com/us/en/gen/corporate/access_company_direct_model.htm. For a listing of the Henson patent as being owned by Dell Computer Corporation, see www.dell.com/us/en/gen/corporate/patent_all.htm#online. (The above internet addresses valid as of September 17, 2003)

In contradistinction to the claim language recited above, Henson does not anticipate, teach or suggest a user station that comprises a manufacturing subsystem. Henson is directed to an online user interface by which a customer chooses computer options and orders a computer system that is built and shipped from a location other than the user station. See, for example, Henson, col. 1, lines 18-21 ("build to order, for enabling configuration, pricing, and ordering of a computer system via the internet"). The Summary section of Henson provides no mention of manufacturing the subject computer system. To the contrary, it describes a warning flag for indicating an option that will adversely impact shipping of the configured computer system at col. 3, lines 30-33. Further references to shipping the remotely built computer system may be found at col. 6, line 44 to col. 7, line 12. Henson notes specific shipping times at col. 7, lines 9-12 (one week for build and delivery of the configured computer system is not considered a shipment delay, five weeks is) and at col. 14, lines 55-57 (typical advertised lead time for build and delivery is on the order of one to two weeks). The whole of Figure 9 is a graphical interface describing shipping the computer to the customer's chosen address. Since shipping a consumer product to a customer is unnecessary for a user station that

comprises a manufacturing subsystem as recited in the pending claims (the subject component of a consumer product is ideally manufactured immediately in the customer's presence), each and every reference to shipping within Henson clearly teaches away from such a user station.

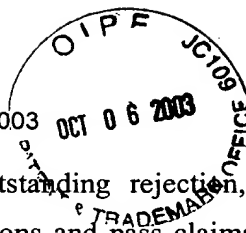
(Applicant asserts that shipping is not inconsistent with the present invention, merely unnecessary in typical use. For example, the present invention may be adapted to allow shipping the manufactured component to a third party designated by the customer, or to the customer when the component cannot be manufactured immediately due to a temporary depletion of raw materials within the manufacturing subsystem.)

Henson refers tangentially to user stations that may be appropriate for accessing an online interface employing the Henson invention. See Henson, col. 12, lines 29-30 and col. 14, lines 53-55. Applicant asserts that "home buyers" and "home customers" as used in the passages above contemplate a user accessing the Henson interface via a personal computer that may commonly be found in a home. Applicant is unaware of any personal computer that comprises a manufacturing subsystem as recited in the claims, and Henson does not teach such an apparatus.

The Examiner further cites Squilla as making obvious certain of the dependent claims when combined with Henson. Squilla does not teach a user station that comprises a manufacturing subsystem, and the Examiner does not so assert. Applicant contends that Squilla further teaches away from such a user station at least at col. 6, lines 59-60 (customer sends in the index stickers) and col. 8, lines 12-14 (the miniature photo album can be sent to a service provider for production of a full size version). Similar to the Henson teaching respecting shipping, the above passages teach away from a user station comprising a manufacturing subsystem.

Applicant respectfully contends that Henson and Squilla, alone or in combination, fail to anticipate, teach or suggest a user station comprising a manufacturing subsystem as recited in each of the independent claims 1, 11, 13, 14, 29 and 39. Every other pending claim depends from one of those independent claims, and is thereby also distinguished over the references. Applicant submits that the above detailed arguments successfully

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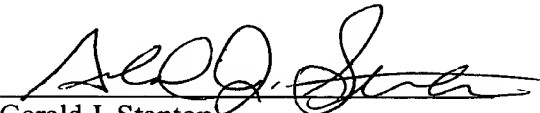
traverse each and every outstanding rejection, and respectfully requests that the Examiner withdraw all rejections and pass claims 1-40 and 42-49 to issuance without further delay. Applicant welcomes the opportunity to resolve any matters that may remain or arise via teleconference, at the Examiner's discretion.

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Date


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